

AN ORDINANCE

**97466**

**ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID OF AJ COMMERCIAL SERVICES, INC. D/B/A A.S.C. PAVING IN THE AMOUNT OF \$250,583.74 IN CONNECTION WITH THE HILLSIDE ACRES DRAINAGE OUTFALL PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$27,163.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$122.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$17,066.00 FOR EXPENSE RECOVERY; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$28,949.91 FOR SEWER AND WATER EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$299,934.74; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, the City Council has approved the Hillside Acres Drainage Outfall Phase II Project as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, in connection with said Project, there exists a need for the construction of an underground storm drainage from Galivan to Farr as well as the reconstruction of intersecting streets; and

**WHEREAS**, in order to commence performance of such work, it is necessary to accept the low, qualified responsive bid of AJ Commercial Services, Inc. d/b/a/ A.S.C. Paving; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The low, qualified, responsive bid of AJ Commercial Services, Inc. d/b/a/ A.S.C. Paving in the amount of \$250,583.74 for the above-described reconstruction work in connection with the Hillside Acres Drainage Outfall Phase II Community Development Block Grant (CDBG) Project is hereby accepted. The City Manager or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Director of Public Works is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein as Attachment I.

**SECTION 2.** All other bids received on this Project are rejected upon the occurrence of either the execution of a contract by the low, qualified responsive bidder and deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the date of this Ordinance.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** The budget of Project No. 26-013519 is authorized to be revised as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment II.

**SECTION 5.** The following sums are hereby authorized for encumbrance in and payment from Project No. 26-013519:

|              |   |
|--------------|---|
| \$250,583.74 | for construction expenses payable to AJ Commercial Services, Inc. d/b/a/ A.S.C. Paving, Index No. 250977; |
| \$ 27,163.00 | for miscellaneous construction contingency expenses, Index No. 250985;                                    |
| \$ 5,000.00  | for miscellaneous engineering contingency expenses, Index No. 250878;                                     |
| \$ 122.00    | for advertising expenses, Index No. 250480; and   |
| \$ 17,066.00 | for expense recovery; Index No. 250993.   |

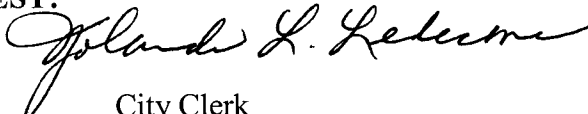
**SECTION 6.** The City hereby acknowledges and accepts the commitment of the San Antonio Water System (SAWS) to pay for the cost of sewer and water work as necessitated in connection with the performance of this project, and for the cost of any additional work which may be required. SAWS shall make payment to the City for the costs set forth in Attachment II, such cost totaling \$28,949.91. For any additional work which may be required, SAWS has manifested their intent to pay their portion. The City is hereby authorized to collect from SAWS payment for any additional costs of such nature and the project budget is hereby authorized to be revised to so reflect. SAWS shall provide a copy of its resolution to City's Department of Public Works upon approval of this project. The Director of Public Works is hereby authorized to bill SAWS for the cost of sewer and water work as necessitated in connection with the performance of this project and for any cost overruns required to complete the aforesaid SAWS sewer and water works construction. Collections from SAWS shall be forwarded to the Director of Finance and deposited in the Project No. 26-013519. The budget of Project No. 26-013519 is hereby authorized to be supplemented in the amount of the sum required to complete the cost of sewer and water work as necessitated in connection with the performance of this Project, if such additional work is required, and the construction contract herein awarded amended in accordance with the City's field alteration procedure, administratively or by ordinance as applicable.

**SECTION 7.** This Ordinance shall become effective on and after the tenth (10th) day after passage hereof.

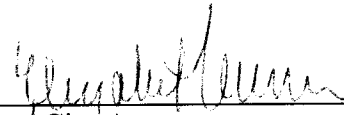
**PASSED AND APPROVED** this 17<sup>th</sup> day of April, 2003.

  
M A Y O R  
EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney